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1 ANDRÉ BIROTTE JR.  
 United States Attorney  
 2 ROBERT E. DUGDALE  
 Assistant United States Attorney  
 3 Chief, Criminal Division  
 ANDREW BROWN (No. 172009)  
 4 Assistant United States Attorney  
 1400 United States Courthouse  
 5 312 North Spring Street  
 Los Angeles, California 90012  
 6 Telephone: (213) 894-0102  
 Facsimile: (213) 894-0142  
 7 Email: andrew.brown@usdoj.gov

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 CLERK, U.S. DISTRICT COURT  
 CENTRAL DIST. OF CALIF.  
 LOS ANGELES

Attorneys for Plaintiff  
 8 UNITED STATES OF AMERICA

9 UNITED STATES DISTRICT COURT

10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )

Case No. **11-0627M**

12 Plaintiff, )

GOVERNMENT'S NOTICE OF REQUEST  
FOR DETENTION

13 v. )

14 EMEKA FRANK ODIKA, )

15 Defendant. )

16  
 17 Plaintiff, United States of America, by and through its  
 18 counsel of record, hereby requests detention of defendant and gives  
 19 notice of the following material factors:

20 1. Temporary 10-day Detention Requested (§ 3142(d))

21 on the following grounds:

22 a. offense committed while defendant was on release  
 23 pending (felony trial), (sentencing) (appeal) or  
 24 on (probation) (parole);

25 b. alien not lawfully admitted for permanent  
 26 residence;

27 c. flight risk;

28 d. danger to community.

1       X       2.     Pretrial Detention Requested (§ 3142(e)) because no  
2                     condition or combination of conditions will  
3                     reasonably assure against:

4               X       a.   danger to any other person or the community;

5               X       b.   flight.

6     \_\_\_\_\_ 3.     Detention Requested Pending Supervised  
7                     Release/Probation Revocation Hearing (Rules  
8                     32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

9             \_\_\_\_\_ a.   Defendant cannot establish by clear and  
10                     convincing evidence that he/she will not pose a  
11                     danger to any other person or to the community;

12             \_\_\_\_\_ b.   Defendant cannot establish by clear and  
13                     convincing evidence that he/she will not flee.

14     \_\_\_\_\_ 4.     Presumptions Applicable to Pretrial Detention (18  
15                     U.S.C. § 3142(e)):

16             \_\_\_\_\_ a.   Title 21 or Maritime Drug Law Enforcement Act  
17                     ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense  
18                     with 10-year or greater maximum penalty  
19                     (presumption of danger to community and flight  
20                     risk);

21             \_\_\_\_\_ b.   offense under 18 U.S.C. § 924(c) (firearm  
22                     used/carried/possessed during/in relation to/in  
23                     furtherance of crime), § 956(a), or § 2332b  
24                     (presumption of danger to community and flight  
25                     risk);

26             \_\_\_\_\_ c.   offense involving a minor victim under 18 U.S.C.  
27                     §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245,  
28

2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-  
 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425  
 (presumption of danger to community and flight  
 risk);

\_\_\_\_ d. defendant currently charged with (I) crime of  
 violence, (II) offense with maximum sentence of  
 life imprisonment or death, (III) Title 21 or  
 MDLEA offense with 10-year or greater maximum  
 sentence, or (IV) any felony if defendant  
 previously convicted of two or more offenses  
 described in I, II, or III, or two or more state  
 or local offenses that would qualify under I, II,  
 or III if federal jurisdiction were present, or a  
 combination of such offenses, AND defendant was  
 previously convicted of a crime listed in I, II,  
 or III committed while on release pending trial,  
AND the current offense was committed within five  
 years of conviction or release from prison on the  
 above-described previous conviction (presumption  
 of danger to community).

X 5. Government Is Entitled to Detention Hearing  
Under § 3142(f) If the Case Involves:

\_\_\_\_ a. a crime of violence (as defined in 18 U.S.C.  
 § 3156(a)(4)) or Federal crime of terrorism (as  
 defined in 18 U.S.C. § 2332b(g)(5)(B)) for which  
 maximum sentence is 10 years' imprisonment or  
 more;

- 1           \_\_\_ b. an offense for which maximum sentence is life  
2                   imprisonment or death;
- 3           \_\_\_ c. Title 21 or MDLEA offense for which maximum  
4                   sentence is 10 years' imprisonment or more;
- 5           \_\_\_ d. instant offense is a felony and defendant has two  
6                   or more convictions for a crime set forth in a-c  
7                   above or for an offense under state or local law  
8                   that would qualify under a, b, or c if federal  
9                   jurisdiction were present, or a combination or  
10                  such offenses;
- 11          \_\_\_ e. any felony not otherwise a crime of violence that  
12                  involves a minor victim or the possession or use  
13                  of a firearm or destructive device (as defined in  
14                  18 U.S.C. § 921), or any other dangerous weapon,  
15                  or involves a failure to register under 18 U.S.C.  
16                  § 2250;
- 17            X   f. serious risk defendant will flee;
- 18          \_\_\_ g. serious risk defendant will (obstruct or attempt  
19                  to obstruct justice) or (threaten, injure, or  
20                  intimidate prospective witness or juror, or  
21                  attempt to do so).

22          \_\_\_ 6. Government requests continuance of \_\_\_ days for  
23                  detention hearing under § 3142(f) and based upon the  
24                  following reason(s):

25                  \_\_\_\_\_  
26                  \_\_\_\_\_  
27                  \_\_\_\_\_  
28

1        7.    Good cause for continuance in excess of three days  
2           exists in that:

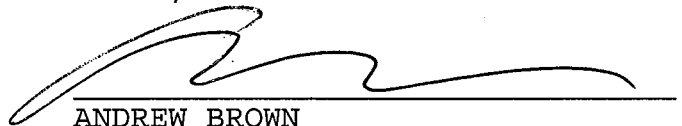
3           \_\_\_\_\_  
4           \_\_\_\_\_  
5           \_\_\_\_\_

6  
7    DATED: March 23, 2011

Respectfully submitted,

8           ANDRÉ BIROTTE JR.  
9           United States Attorney

10          ROBERT E. DUGDALE  
11          Assistant United States Attorney  
12          Chief, Criminal Division

13           

14          ANDREW BROWN  
15          Assistant United States Attorney  
16          Attorneys for Plaintiff  
17          UNITED STATES OF AMERICA  
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